

REMARKS

Applicant respectfully requests reconsideration of this application in view of the foregoing amendment and following remarks.

Status of the Claims

Claims 1-29 are pending in this application. Claims 1, 5, 11, 18-24, 28 and 29 are independent. All of the pending claims have been rejected. By this Amendment, claims 1-4, 18 and 21 have been cancelled. Claims 5, 9, 11, 15, 19, 20, 22 and 23 have been amended. No new matter has been added by this Amendment.

Rejection under 35 U.S.C. §103

All of the pending claims (i.e., claims 1-29) have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,987,186 to Oida et al. ("Oida") in view of U.S. Patent No. 5,499,108 to Cotte et al. ("Cotte").

The Examiner indicates that Oida discloses each and every elements of the pending claims except for the element reciting that the print device communicates with the external computer to start said scanner software when the scan head is mounted on the head mounting portion and a predetermined preparation is detected. The Examiner then cites Cotte alleging that the reference discloses the missing element of Oida, i.e., "the print device communicates with the external computer to start said scanner software when the scan head is mounted on the head mounting portion and a predetermined preparation is detected." The Office action indicates Fig. 12 and col. 10, lines 19-40 of Cotte describing "the sensor is setting off to notify the host as soon as the paper is put on the scanner to be scanned."

Applicant disagrees with the rejections to the claims for at least the reasons as set forth below.

Cotte discloses a document-driven scanning device in which an integral input/computer combination is disclosed wherein an input device may share a single data port on the host computer with a Fax modem and be mounted to a monitor, printer, keyboard etc so as to have a small footprint. The cited portion of Cotte describes as follows.

The input device 214 uses one or more paper sensors such as sensors 222 to sense the insertion of the document to be scanned into the input device 214. These paper sensors generate a signal which triggers the scanning mechanism in the input device to start drawing the document 216 into the input device and passing it under a linear imaging array such as a CCD which generates scan lines of data. The insertion of the paper also causes a code to be sent over the RS232 cable to the input device software resident on the host 210 which triggers the host to read the serial port to which the RS232 cable 212 is coupled to receive the data coming in from the input device 214.

As Applicant understands it, Cotte's input device 214 is a dedicated scanner and the sensors detect the insertion of the documents to be scanned to trigger the scanning mechanism in the scanner. In other words, the sensors simply detect the inserted papers to trigger the scanning operation of the scanner. Applicant notes that this type of sensors are described in the background section of the original specification, e.g., the second full paragraph of page 2 of the original specification.

In contrast, one of the goals of the present invention is directed to an improved printer with a scanning function in which the scanning function is readily performed without much intervention by a user. See, for example, the third full paragraph of page 2 of the original

specification. To achieve this goal, the printer of the present invention implements a detector configured to detect selectively between the printing mode operation and the scanning mode operation by detecting whether the scan head is mounted on the head mounting portion. With the results of the detection, the printer automatically enables the external computer to initiate controlling of the scanning operation of the printer device. This provision of the present invention enables the printer with a scanning function to perform the scanning operation readily without much intervention from the user.

As a result, Applicant believes that Cotte cannot be combined with Oida to reject the pending claims of the present invention because Cotte's sensors are substantially different from the detector as recited in the pending claims of the present application.

Nonetheless, claims 5, 9, 11, 15, 19, 20, 22 and 23 have been amended for further clarification. In particular, each of independent claims 5, 11, 19, 20, 22 and 23 have been amended to further recite that the print device includes a detector configured to detect selectively a print sheet in the printing and an original to be scanned in the scanning, making it clear that the detector detects between the two states, i.e., printing mode and scanning mode.

Applicant further believes that each of independent claims 5, 11, 19, 20, 22 and 23 is neither anticipated by nor rendered obvious in view of Cotte and Oida, either taken alone or in combination, because neither Cotte nor Oida show or suggest a print device which includes a detector configured to detect selectively a print sheet in the printing and an original to be scanned in the scanning as specifically recited in the claims as amended.

Reconsideration and withdrawal of the rejections of claims 5, 9, 11, 15, 19, 20, 22 and 23

PATENT

Application Serial No. 09/334,510
Amendment dated August 11, 2003
Reply to Office Action of May 20, 2003
Docket No. 1232-4544

under 35 U.S.C. §103(a) is respectfully requested.

Applicant has not individually addressed the rejections of the dependent claims because Applicant submits that the foregoing places the independent claims from which they respectively depend in condition for allowance. Applicant however reserves the right to address such rejections of the dependent claims should such be necessary.

PATENT



Application Serial No. 09/334,510
Amendment dated August 11, 2003
Reply to Office Action of May 20, 2003
Docket No. 1232-4544

AUTHORIZATION

No petitions or additional fees are believed due for this amendment and/or any accompanying submissions. However, to the extent that any additional fees and/or petition is required, including a petition for extension of time, Applicant hereby petitions the Commissioner to grant such petition, and hereby authorizes the Commissioner to charge any additional fees, including any fees which may be required for such petition, or credit any overpayment to Deposit Account No. 13-4500 (Order No. 1232-4544). **A DUPLICATE COPY OF THIS SHEET IS ENCLOSED.**

An early and favorable examination on the merits is respectfully requested.

Respectfully submitted,
MORGAN & FINNEGAN LLP

Dated: August 11, 2003

By: 
Sung Ho Hong
Registration No. 54,571

CORRESPONDENCE ADDRESS:
MORGAN & FINNEGAN L.L.P.
345 Park Avenue
New York, New York 10154
(212) 758-4800